

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MICHAEL SCOTT,**  
Plaintiff,

v.

**Case No. 06-C-384**

**MARQUETTE UNIVERSITY  
DEPARTMENT OF PUBLIC SAFETY,**  
Defendant,

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**ORDER**

A review of this file discloses that defendant Marquette University Department of Public Safety filed a motion for summary judgment on September 17, 2008. Court records indicate that copies of the motion and supporting brief were mailed to plaintiff Michael Scott on September 26, 2008. Under the applicable procedural rules, plaintiff's response to that motion should have been filed on or before October 26, 2008.

Briefing schedules are set forth in Civil L.R. 7.1 (E.D. Wis.). Parties are expected to comply with the procedures and dates specified in the rule without involvement of the court.

Court records show that plaintiff did not file any response to the defendant's motion. The court will allow plaintiff additional time to file a response to such motion. Plaintiff is hereby advised that if he fails to file any response to defendant's motion by December 8, 2008, I may dismiss this action with prejudice, pursuant to Civil Local Rule 41.3 (E.D. Wis.) and Fed. R. Civ. P. 41(b). A copy of Civil Local Rule 41.3 is attached.

**IT IS THEREFORE ORDERED** that plaintiff shall have until **December 8, 2008** to respond to defendant's motion for summary judgment.

Dated at Milwaukee, Wisconsin, this 7 day of November, 2008.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge

**Civil L.R. 41.3 Dismissal for Lack of Diligence**

Whenever it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party can petition for reinstatement of the action within 20 days.